

which did not contrast well with the red peppers in the background, and was confused by a lace-like white design in the background.

LIBELED: 4-22-63, S. Dist. Calif.

CHARGE: 403(e)(2)—while held for sale, both articles failed to bear a label containing an accurate statement of the quantity of the contents, since the label statements (crushed peppers) "3½ Oz." and (cinnamon) "1¼ Oz." were inaccurate; and 403(f)—while held for sale, the information required to appear on label of the red peppers under 403(e)(1) and (2), namely, the name and address of the packer, and the quantity of contents statement, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6-7-63. Consent—claimed by Service Foods, Los Angeles, Calif., and released under bond for relabeling.

29267. Canned corn. (F.D.C. No. 49226. S. No. 4-100 X.)

QUANTITY: 174 cases, 24 cans each, at Raleigh, N.C.

SHIPPED: 7-17-63, from Leslie, Md., by Consolidated Cannery Corp.

LABEL IN PART: (Can) "Red Cross Brand Whole Kernel Golden Sweet Corn Net Contents 1 Lb. Distributed by Consolidated Cannery Corp. Baltimore, Maryland."

LIBELED: 8-30-63, E. Dist. N.C.

CHARGE: 403(h)(1)—when shipped, the quality of the article fell below the standard of quality for canned whole kernel sweet corn since it contained more than one brown or black discolored kernel or piece of kernel for each 2 ounces of drained weight, and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 10-16-63. Default—destruction.

29268. Canned peas. (F.D.C. No. 49034. S. No. 36-853 X.)

QUANTITY: 300 cases, each containing 24 15-oz. cans, at Lafayette, La.

SHIPPED: 4-9-63, from Haskell, Okla., by Haskell Foods, Inc.

LABEL IN PART: (Can) "Lahoma Dried Early June Peas Packed from Dry Stock * * * Haskell Foods Inc. Packers & Distributors Haskell, Oklahoma."

LIBELED: 7-11-63, W. Dist. La.

CHARGE: 403(a)—when shipped, the label vignette depicting succulent green peas was false and misleading as applied to a product prepared from dried peas; and 403(h)(1)—the article fell below the standard of quality for canned peas since it contained more than 25 percent by count of peas ruptured to a width of more than 1/16 inch and the article was a smooth skin variety of peas; and the alcohol insoluble solids of peas in the container was more than 23.5 percent and the label failed to bear a statement that it fell below such standard.

DISPOSITION: 9-3-63. Default—delivered to a charitable institution for use therein.

29269. Canned peas. (F.D.C. No. 48434. S. No. 16-729 V.)

QUANTITY: 505 cases, each containing 24 15-oz. cans, at Nashville, Tenn.

SHIPPED: Between 6-20-62 and 10-12-62, from Cullman, Ala., by King Pharr Canning Operations, Inc.

LABEL IN PART: (Can) "King Pharr Early June Peas Packed from Dried Peas * * * King Pharr Canning Operations, Inc. Packers and Distributors Cullman, Ala."

LIBELED: 12-19-62, M. Dist. Tenn.

CHARGE: 403(a)—when shipped, the label statement "Early June Peas" and the label vignette depicting succulent peas were false and misleading as applied to a product prepared from dried peas; 403(g)(2)—the label of the article bore the name "Early June Peas" instead of "Dried Early June Peas" as specified in the definition and standard of identity for such canned peas; and 403(h)(1)—the quality of the article fell below the standard of quality for canned peas since more than 25 percent by count of the peas contained in the cans were ruptured to a width of more than $\frac{1}{16}$ inch and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 2-12-63. Default—delivered to 6 charitable institutions.

29270. Canned pimentos. (F.D.C. No. 47443. S. Nos. 39 T, 55-364 T.)

QUANTITY: 123 cases, each containing 24 28-oz. cans, at Jacksonville, Fla.

SHIPPED: 12-1-61, from New York, N.Y.

RESULTS OF INVESTIGATION: Examination showed that the article contained abnormal cans and was undergoing progressive decomposition.

LIBELED: 4-12-62, S. Dist. Fla.

CHARGE: 402(a)(3)—contained a decomposed substance while held for sale.

DISPOSITION: 1-31-63. Consent—claimed by Vega Trading Co., Inc., New York, N.Y., and released under bond for export to the original foreign supplier.

29271. Dried chili peppers. (F.D.C. No. 49062. S. No. 30-450 X, 30-452 X.)

QUANTITY: 9 200-lb. bags, one unlabeled drum, containing approximately 80 lbs., and 2 100-lb. bags at Santa Ana, Calif.

SHIPPED: Between 4-19-62 and 5-28-63, from Ensenada, Mexico.

LIBELED: 7-30-63, S. Dist. Calif.

CHARGE: 402(a)(3)—contained insect webbing, excreta, and moldy peppers while held for sale.

DISPOSITION: 9-13-63. Default—destruction.

29272. Hot finger peppers. (F.D.C. No. 49209. S. No. 5-326 X.)

QUANTITY: 90 cases, each containing 12 1-qt. jars, at Baltimore, Md.

SHIPPED: 7-1-63 or 7-9-63, from Philadelphia, Pa., by Louis Shupack Co.

LABEL IN PART: (Jar) "Fyne-Taste brand * * * Hot Finger Peppers * * * Distributed by Tulip, Inc., Phila. 34, Pa."

LIBELED: 7-30-63, Dist. Md.

CHARGE: 402(a)(3)—contained *Drosophila* flies, eggs, and maggots when shipped.

DISPOSITION: 8-23-63. Consent—destruction.

29273. Pickles. (F.D.C. No. 48545. S. Nos. 71-171 T, 71-173 T, 91-143 T, 74-172 V.)

INFORMATION FILED: 5-22-63, N. Dist. Tex., against Craddock Foods, Div. of Morton Foods, a corporation, Garland, Tex., and Joe E. Shelton, Jr., vice president.